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10/628,745

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EXAMINER

STOKELY-COLLINS, JASMINE N

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/628,745	Applicant(s) BENGTTSSON ET AL.	
	Examiner JASMINE STOKELY-COLLINS	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claim 1, the applicant argues on pg. 7, last paragraph, that DeLorme can only organize and edit digital images that relate to a particular location and therefore cannot edit "any one or more images from the digital input". The examiner agrees. Digital photo albums that edit and arrange digital images are well known in the art. The examiner cites Loui et al, which teaches digital photo album software (fig. 2 el. 10, col. 1 ll. 25-36) and photo editing software (col. 1 ll. 43-45)

Claims 2-7, 10-16, and 18-19 rely on the same argument. Specifically, new limitation the "[generation of] a digital travel log from the one or more images" required by claim 6 is met because Loui teaches organizing images by places (col. 1 ll. 33-34), and also teaches manual organization and annotation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Loui's teaching of manually organizing any images by location with DeLorme's teaching of creating a digital travel album by associating photos with places to obtain the concept of including any images in a digital travel album by manually organizing them by location.

Regarding claim 8, applicant argues that DeLorme does not teach "digital images recorded from the digital camera include images captured from a digital camera mounted on the outer surface of an in-flight aircraft. The examiner agrees with this assertion and cites Brunner, which teaches a camera mounted on the outside of an

aircraft that can be connected to an in-cabin display for passenger entertainment (abstract).

Regarding claim 9, applicant argues that DeLorme does not teach “[merging] one or more images into one digital image”. The examiner agrees and cites Gluck, which teaches merging images to make a single “photo-realistic sheet” using software (col. 6 ll. 21-23).

Regarding claim 17, the applicant argues that the DeLorme does not teach “a transmitter for sending information output by the processor to a location remote from the vehicle.” The examiner agrees. Col. 7 ll. 13-21 of Weinburger teaches an in-flight entertainment system that allows voice and data communication between passengers on-board an aircraft and people and computers on the ground.

Regarding claim 19, applicant argues that claim 19 is allowable because of its dependency of claim 18 and the additional limitations are not taught by the cited reference. The examiner disagrees with applicant's assertion of allowability for the reasons presented in regards to claim 18, and the examiner further disagrees that the cited reference does not teach “wherein the body comprises an airframe”. Brady's “in-flight entertainment system” is clearly embodied in an aircraft, which must necessarily comprise an airframe (col. 5 ll. 33-35 refer to an aircraft cabin).

Applicant argues newly added claim 20 is allowable because of its dependency on claim 18 and lack of support in the cited references for added limitation “the processor is configured to merge the one or more images into one digital image.” The

examiner disagrees with applicant's assertion of allowability for the reasons presented in regards to claims 18 and 9.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 10-16 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1).

Regarding claim 1, Brady teaches a vehicle seat for supporting a passenger of a vehicle (figure 1b), said seat comprising:
a seat frame (figure 1b) having a mount for mounting the frame to the vehicle, a support extending from the mount (While Brady doesn't show a seat mount and support, this feature is inherent in any seat within an airplane. Brady discloses in column 2 lines 36-42 that his invention is intended for an in-flight entertainment system. All airplane seats are supported by some structure), a seat bottom (figure 1b element 750) mounted on the support for supporting the passenger when occupying the seat, and a seat back extending upward from the seat

bottom (figure 1b element 700), said seat back having a front surface oriented to face the passenger occupying the seat and a rear surface opposite said front surface;

a video monitor mounted on the seat frame (figure 1b element 650); and
a digital processor (LRU) operatively connected to the video monitor for processing a digital input for display as an image on the video monitor (column 9 lines 39-42),

Brady does not teach the digital processor is configured to organize and edit any one or more images from the digital input.

Loui teaches software configured to organize and edit any one or more images from digital input into a digital photo album (col. 1 ll. 25-30, ll. 33-34, ll. 43-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the software taught by Loui into the LRU taught by Brady for the benefit of enabling airplane passengers to create a digital album in order to have memoirs and keepsakes from their trip, and to provide entertainment for passengers.

Regarding claim 2, when read in light of claim 1, Brady further teaches the video monitor is mounted on the rear surface of the seat back for viewing from behind the vehicle seat (figure 1b element 650).

Regarding claim 3, when read in light of claim 1, Brady further teaches the digital processor includes an interface for connecting the processor to an external data source (column 15 lines 32-45).

Regarding claim 4, when read in light of claim 3, Brady further teaches the external data source for which the interface is configured is selected from a group consisting of a digital camera, a personal computer (laptop computer), a personal digital assistant and a data storage card (column 15 lines 32-45).

Regarding claim 5, when read in light of claim 3, Brady further teaches the interface includes a data port selected from a group of data ports consisting of a serial port, a parallel port, a small computer system interface (SCSI) port, and a universal serial bus (USB) port (column 15 lines 32-35).

Regarding claim 15, Brady further teaches said processor (LRU) is operatively connectable to a camera remote from the seat for providing digital input to the processor (column 11 lines 32-46, where the network server program coupled to the camera is shown as part of the LRU in figure 1a).

Regarding claim 18, Brady teaches a vehicle for transporting a plurality of passengers (figure 2 suggests at least 2 passengers), said vehicle comprising: a body having an interior cabin sized and shaped for holding a plurality

of passengers (figure 2 suggests at least 2 passengers, column 5 lines 33-35 disclose a cabin);

a power plant mounted on the body for generating power to move body (Brady's invention is embodied in a commercial aircraft, as evidenced by column 1 lines 13-14. A power plant is inherently part of Brady's commercial aircraft, as it self-generates a power source from the aircraft's engine);

a plurality of seats mounted on the body for supporting at least one passenger of said plurality of passengers (figure 1b), at least a portion of said seats of said plurality of seats comprising:

a seat frame (figure 1b) having a mount for mounting the frame to the vehicle, a support extending from the mount, a seat bottom mounted on the support for supporting the passenger when occupying the seat (While Brady doesn't show a seat mount and support, this feature is inherent in any seat within an airplane. Brady discloses in column 2 lines 36-42 that his invention is intended for an in-flight entertainment system. All airplane seats are supported by some structure), and a seat back extending upward from the seat bottom, said seat back having a front surface oriented to face the passenger occupying the seat and a rear surface opposite said front surface (figure 1b element 700);

a video monitor mounted on the seat frame (figure 1b element 650); and a digital processor (LRU)_operatively connected to the video monitor for processing a digital input for display as an image on the video monitor (column 9 lines 39-42).

Brady does not teach the digital processor is configured to organize and edit any one or more images from the digital input.

Loui teaches software configured to organize and edit any one or more images from digital input into a digital photo album (col. 1 ll. 25-30, ll. 33-34, ll. 43-45).

Regarding claim 19, when read in light of claim 18, Brady further teaches the body comprises an airframe (col. 1 ll. 13-14, col. 5 ll. 33-35 refer to an aircraft cabin).

7. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1), and further in view of DeLorme et al (US 6,321,158 B1).

Regarding claim 6, when read in light of claim 1, Brady in view of Loui teaches the vehicle seat of claim 1. Brady in view of Loui does not teach said processor is configured to generate a digital travel album from said plurality of images.

DeLorme teaches a processor is configured to generate a digital travel album from one or more images (column 71 lines 36-44). DeLorme's invention creates the travel album using pictures associated with locations, and Loui teaches manually editing and arranging pictures by location. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

combine DeLorme's teaching of creating a digital travel album by associating images with locations, with Loui's teaching of manually organizing photos by location to obtain a manually and/or automatically organized digital travel album by sorting images by location. The benefit of combining DeLorme with Brady in view of Loui is allowing a passenger to commemorate his travels with a digital travel album created from personal photos.

Regarding claim 7, when read in light of claim 6, DeLorme further teaches the one or more images includes digital images recorded from a digital camera (fig. 1a3 el. 13: digital camera). Additionally, Loui teaches obtaining digital material from a digital camera (col. 1 ll. 40-42).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1) and DeLorme et al (US 6,321,158 B1), and further in view of Brunner JR (US 2002/0067424)

Regarding claim 8, when read in light of claim 7, Brady in view of Loui and DeLorme teach the vehicle seat of claim 7.

Brady in view of Loui and DeLorme does not teach digital images recorded from the digital camera include images captured from a digital camera mounted on the outer surface of an in-flight aircraft.

Brunner teaches a camera mounted on the outside of an aircraft that can be connected to an in-cabin display for passenger entertainment (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Brunner's teaching of an aircraft-mounted camera system for the benefit of providing in flight entertainment to cabin passengers by allowing them to have the same view as the pilot (pg. 1 sect. 0002).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1) and DeLorme et al (US 6,321,158 B1), and further in view of Gluck (US 6,532,345 B1).

Regarding claim 9, when read in light of claim 6, Brady in view of Loui and DeLorme teach the vehicle seat of claim 7.

Brady in view of Loui and DeLorme does not teach said processor is configured to merge the one or more images into one digital image.

Gluck teaches merging images to make a single "photo-realistic sheet" using software (col. 6 ll. 21-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the photo merging technique taught by Gluck into the in-flight entertainment photo editing software taught by Brady in view of Loui and DeLorme for the benefit of creating a photo souvenir that incorporates both the scene/event/location and the viewer

when it is not possible to capture the viewer and the scene/event/location in the same shot at the time the picture was taken (col. 1 ll. 22-40).

Regarding claim 20, when read in light of claim 18, see rejection of claim 9.

5. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1), and further in view of Eichmann (US 6,947,071 B2).

Regarding claim 10, when read in light of claim 1, Brady in view of Loui teaches a vehicle seat in accordance with claim 1, further comprising a camera operatively connected to said processor (Brady's LRU) for providing digital input to the processor (Brady column 12 lines 44-46 disclose an input camera coupled to a audio/video controller. Column 10 lines 55-57 state the video controller is included in the LRU).

Brady does not disclose that camera is mounted on said seat frame.

Eichmann teaches a camera mounted to a front-seat back for viewing passengers in the rear-seat of a vehicle (column 8 lines 47-51). The use of a digital camera is inferred from column 4 lines 54-58, in which Eichmann suggests the devices which could be utilized for displaying the output from said camera. One such capability of these devices is "playing digital video recordings", which

requires the use of a digital recording device to acquire said video recordings. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the camera taught by Brady with the digital characteristic of Eichmann for the benefit of providing a clearer picture and to further provide a clear view of rear seat occupants for surveillance purposes.

Regarding claim 11, limitation “wherein the digital camera is mounted on the rear surface of the seat back for recording images of behind the vehicle seat” is further met by the combination of Brady in view of Loui and Eichmann. Eichmann teaches a camera mounted to the back of a front seat for viewing passengers in the rear-seat of a vehicle (column 8 lines 47-51).

6. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1), and further in view of Weinberger et al (US 6,813,777 B1).

Regarding claim 12, Brady in view of Loui teaches a vehicle seat in accordance with claim 1.

Brady in view of Loui does not teach a control device operatively connected to said processor for controlling operation of said processor.

Weinberger teaches a control device (figure 7d, on sheet 8 of the drawings) operatively connected to said processor for controlling operation of

said processor (column 31 lines 43-49, where the audio-video unit Weinberger's controller interfaces with is analogous to the audio/video controller that Brady discloses as part of his LRU in column 10 lines 55-59 of his disclosure). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system taught by Brady to incorporate the remote controller taught by Weinberger for the benefit of a more convenient and comfortable control device for the user that would eliminate the need for the user to reach for a control interface situated farther away.

Regarding claim 13, when read in light of claim 12, Weinberger further teaches said control device comprises a remote control device (fig. 7d, on sheet 8 of the drawings) operatively connected to said processor by an electromagnetic signal (column 31 lines 43-64, where the audio-video unit Weinberger's controller interfaces with is analogous to the audio/video controller that Brady discloses as part of his LRU in column 10 lines 55-59 of his disclosure).

Regarding claim 17, when read in light of claim 1, Weinberger further teaches a processor operatively connectable to a transmitter for sending information output by the processor to a location remote from the vehicle. Weinberger teaches an in-flight entertainment system that allows voice and data communication between passengers on-board an aircraft and people and computers on the ground (Col. 7 ll. 13-21). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate the capabilities taught by Weinberger with the in-flight entertainment system taught by Brady in view of Loui for the benefit of allowing passengers to communicate with friends, family members, or business associates while on a flight.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1), and further in view of Dittmann et al (US 5,239,376 A).

Regarding claim 14, Brady in view of Loui teaches a vehicle seat in accordance with Claim 1 as analyzed above.

Brady in view of Loui does not teach said processor is operatively connectable to a printer for printing images.

Dittmann teaches including a printer to print out still images captured by a surveillance camera (column 3 lines 14-18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a printer with image-printing capabilities in the system taught by Brady for the benefit of producing a hardcopy of any images taken for any potential security breaches, or to have a record of passengers on a flight.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Loui et al (US 6,813,618 B1), and further in view of Rivera (US 2002/0124260 A1).

Regarding claim 16, Brady in view of Loui teaches a vehicle seat in accordance with Claim 15 as analyzed above.

Brady in view of Loui does not teach the camera is mounted on an exterior surface of the vehicle.

Rivera teaches a camera is mounted on an exterior surface of a vehicle (figure 2 element 14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rivera's teaching of mounting a camera on the outside of a vehicle with the airplane disclosed in Brady for the benefit of photographing weather conditions, or providing an expanded view of the airplane's surroundings for better navigation.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2623

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASMINE STOKELY-COLLINS whose telephone number is (571) 270-3459. The examiner can normally be reached on M-Th 9:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jasmine Stokely-Collins/
Examiner, Art Unit 2623

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2623